



State of Tennessee
Department of Children's Services

Administrative Policies and Procedures: 4.1

Subject:	Employee Background Checks
Authority:	TCA 37-5-105, 37-5-106, 37-1-414, Adoption and Safe Families Act, P.L. 109-239, Safe and Timely Interstate Placement Act of Children in Foster Care Act of 2006- P.L. 109-239, and Social Security Act
Standards:	COA: PA HR 3.03
Application:	All Department of Children's Services Employees

Policy Statement:

All DCS employees that have access to children during the performance of their job duties must be free from criminal or abuse history that could pose a safety risk to children.

Purpose:

To ensure that background checks are conducted on all DCS staff that have access to children and a determination made that no criminal or abuse history exists that could pose a safety risk to children.

Procedures:

A. Background checks	<p>Applicants recommended for new hire or transfer to a DCS position which involves contact with children must submit to a full background check that will be performed by the appropriate designated DCS staff member. The following is a detailed listing of the documentation and background checks to be completed:</p> <ol style="list-style-type: none">1. All DCS employees whose position involves access to children must complete an Authorization for Release of Information to DCS (form CS-0668) upon receipt of an offer of employment.2. A Criminal history check to include local court records and a TBI/FBI fingerprint check must be completed on each applicant and documented in the employee's official personnel file.3. If an employee has not been in residence in the county where they currently live for a period of five (5) years, the criminal history check court record must include a record check of his/her current place of residence and previous places of residence for the previous five (5) years.4. A CPS Records Check that includes a TNKids (or subsequent Child Welfare Database System) and Social Service Management System
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	<p>(SSMS) search must be completed by the appropriate designated DCS staff member on form CS-0741, Database Search Results to determine if there is a past Child Protective Service (CPS) indication against the applicant.</p> <ul style="list-style-type: none"> a) If a CPS indication is found, it must be reviewed by the Office of Child Safety to assess the finding. b) Specific information related to CPS findings and records involving an applicant must be maintained in the confidential section of the official personnel file. Refer to DCS Policy <u>14.24, Child Protective Services Background Checks</u> for additional information on CPS background checks. <p>5. An Internet Records Clearance must be completed on each applicant and documented in the employee's official personnel file. The internet records clearance involves a background check of the following:</p> <ul style="list-style-type: none"> a) Methamphetamine Offender Registry Clearance. The Internet Website address is: <u>http://www.tennesseeanytime.org/methor</u> b) Sexual Offender Registry Clearance (State and National). The State Website address for a TN search is: <u>http://www.ticic.state.tn.us/SEX_ofndr/search_short.asp</u>. The national Website address is: <u>http://www.nsopr.gov/</u> c) TN Felony Offender Database Clearance. The Website address is <u>http://www.tennesseeanytime.org/foil/search.jsp</u>. d) Department of Health Abuse Registry Clearance. The Website address is <u>http://health.state.tn.us/abuseregistry/index.html</u> <p>6. DCS form CS-0687, Internet Records Clearance, must be completed to document each part of the internet background check by the local Human Resources office staff and be filed with appropriate attachments documenting results and maintained in the employee's official personnel file.</p> <p>7. DCS form CS-0845, Background Checklist and Results Summary must be completed by the appropriate designated DCS staff member to summarize the results of all background searches. Copies of all results must be attached to this form and filed appropriately.</p>
<p>B. Approval or Denial of DCS employment based on background check</p>	<p>1. No applicant may be approved for employment with DCS who has a felony conviction involving:</p> <ul style="list-style-type: none"> a) Child Abuse or Neglect; b) Spousal Abuse; c) A crime against a child or children (Including Child Pornography); or d) A crime involving violence including rape, sexual assault, or homicide, but not including other physical assault or battery.

	<p>2. No applicant may be approved for employment with DCS who has been <u>convicted</u> of any of the following felonies in the last five (5) years:</p> <ul style="list-style-type: none"> a) Physical Assault; b) Battery; or c) A drug related offense <p>3. Persons with <i>other</i> types of criminal charges/convictions may be considered within the following parameters:</p> <ul style="list-style-type: none"> a) The conviction must not be for any of the criminal charges listed in <i>B.1.</i> or 2, above. b) The conviction must have occurred at least five (5) years prior to the employee's hiring with DCS, c) The applicant has not been convicted of any other criminal offense, and d) The Regional Administrator/Superintendent/Group Home Director reviews the circumstances, determines that the employee can work productively with children and grants a waiver. Such a waiver must be thoroughly documented, signed, and filed in the employee's personnel file. <p>4. No applicant may be approved who has been determined to be an indicated perpetrator of child abuse or neglect.</p>
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Forms:	<p><u>CS-0668, Authorization for Release of Information to DCS</u></p> <p><u>CS-0687, Internet Records Clearance</u></p> <p><u>CS-0741, Database Search Results</u></p> <p><u>CS-0845, Background Checklist and Results Summary</u></p>
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Collateral Documents:	<i>None</i>
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